

MEMO

DS-186 Eue

Warden Ronald Snyder violated the Eighth Amendment by allowing me to be housed in a holding cell.

Prison officials violate the Eighth Amendment when they act with deliberate indifference to an unreasonable risk of serious harm. Helling v. McKinney, 509 U.S. 25, 33 (1993)

Prison officials act with deliberate indifference when they ignore an obvious and serious danger.

Farmer v. Brennan, 511 U.S. 825, 835 (1994)

The prison official was grossly negligent in managing the people he or she was supposed to supervise.

Meriwether v. Coughlin, 879 F.2d 1037 (2d Cir. 1989)

As I wrote in my amended complaint, Warden Ronald Snyder had been aware of my concern of my housing area. Without proper notification as to why I was being housed in that area to not only myself but also to the correctional officers, such an incident may not have occurred.

Warden Ronald Snyder's negligence to my being housed in this area and by not moving me elsewhere, amounts to deliberate indifference in violation of the Eighth Amendment. For this reason, his motion to dismiss my case should be denied.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Name and address of Plaintiff:

Jennifer Ann Fedorek
451 Fullerton Avenue
Cambridge Springs, PA. 16403

Full name, title, and business address
of each defendant in this action:

1. Ronald Snyder, Warden
Venango County Prison
Franklin Pa 16323

2. Keoke Craft, C.O.
Venango County Prison
Franklin Pa 16323

Use additional sheets, if necessary
Number each defendant.

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Plaintiff brings this action against the above named and identified defendants on the following cause of action:

- I. Where are you now confined? State Correctional Institution of Cambridge Springs
- What sentence are you serving? 27 - 84 months
- What court imposed the sentence? Venango County

II. Previous Lawsuits

- A. Describe any and all lawsuits in which you are a plaintiff which deal with the same facts involved in this action. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiffs Jennifer Ann Fedorek

Defendants Ronald Snyder
Keoke Craft

2. Court (if federal court, name the district; if state court, name the county) and docket number

Erie County CA 05-186E

3. Name of judge to whom case was assigned Magistrate Judge Susan Paradise Baxter

4. Disposition (For example: Was the case dismissed? Was it appealed? Is it still pending?)

Still pending

5. Approximate date of filing lawsuit 9/29/2005

6. Approximate date of disposition 1/17/2006

B. Prior disciplinary proceedings which deal with the same facts involved in this action:

Where? _____
When? _____
Result: _____

III. What federal law do you claim was violated? _____

8th & 14th Amendments

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet if necessary.)

A. Date of event: May 14, 2005

B. Place of event: Venango County Prison

C. Persons involved--name each person and tell what that person did to you:

Ronald Snyder, warden
Heather Craft, Correctional Officer

* See Attachment

* Attachment *

Plaintiff asserts that as of May 14, 2005, I had been housed in areas of the Venango County Prison ("VCP") that were unordinary for an inmate to be housed in. I was not in administrative or disciplinary segregation. Through many written requests and once verbally to warden Ronald Snyder, there was no reason given for my housing. On the above date, I was assaulted by Correctional Officer Heohe Craft as a result of my housing and to what procedure(s) to follow. There was swelling and bruising on my wrists and arms. I eventually was transported to a physician's office where I was informed of having muscle contusion. An investigation was conducted by the Venango County Sheriff's Office. I did file a grievance at VCP.

Jennifer Ann Fedorek
jennifer ann fedorek,
plaintiff

- V. Did the incident of which you complain occur in an institution or place of custody in this District?
If so, where? Verango County Prison

and answer the following questions:

- A. Is there a prisoner grievance procedure in this institution?
Yes ☒ No ☐
- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?
Yes ☒ No ☐
- C. If your answer is YES,
1. What steps did you take? I filled out an Inmate Request to file a grievance, received it & proceeded to file it.
 2. What was the result? I received a verbal & written grievance response indicating it would be looked into & any action taken is a private concern.
- D. If your answer is NO, explain why not: _____
- E. If there is no prison grievance procedure in the institution, did you complain to prison authorities?
Yes ☐ No ☐
- F. If your answer is YES,
1. What steps did you take? _____
 2. What was the result? _____

VI. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I would like to be awarded money damages.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

3/26/06
(DATE)

Jennifer Ann Ledcreek
(Signature of Plaintiff)

CERTIFICATE OF SERVICE

I, hereby state that I have caused copies of the foregoing petition/motion to be served on the persons indicated, by placing same in the United States repository at SCI-Cambridge Springs. In accordance with the Smith v. PBPP, 683 A.2d 278. Postage prepaid and addressed as follows:

FIRST CLASS MAIL, POSTAGE PREPAID

James T. Marnen
PA ID No. 15858
Knox McLaughlin Gornall & Sennett, P.C.
120 West Tenth Street
Erie, PA 16501-1461

Attorney for Defendants,
Ronald Snyder and Heohe Craft

Dated: 3/26/06

Respectfully submitted

Name Jennifer Ann Fedorchak
Print name Jennifer Ann Fedorchak

DOC# 059802

Address 451 Fullerton Avenue
Cambridge Springs, PA 16403